



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOANNE HART and AMANDA )  
PARKE, on behalf of )  
themselves and all )  
others similarly )  
situated, ) Case No.  
 ) 1:15-cv-04804 (WHP)  
Plaintiff, )  
 )  
vs. )  
 )  
BHH, LLC d/b/a Bell + )  
Howell and Van Hauser )  
LLC, )  
 )  
Defendants. )

The deposition of STEFAN BOEDEKER, called for examination pursuant to the Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before JENNIFER M. DALY, a certified shorthand reporter within and for the County of Cook and State of Illinois, at 33 West Monroe Street, Suite 1100, Chicago, Illinois, on the 26th day of January, 2018, at the hour of 9:33 a.m.

REPORTED BY: JENNIFER M. DALY, CRR, RPR, CSR, CCR  
LICENSE NO. 084-004688  
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1 that Mr. Weir had in his reliance materials, and  
2 that's what I used.

3 And it came out to be -- he has 24.80 and  
4 24.10, I believe, in his calculations.

5 Q. So it's your understanding that the 02:18:00PM  
6 retail sales data that you've relied on in this tab  
7 is the only data that Mr. Weir relied on --

8 MR. WING: Object to form. Calls for  
9 speculation.

10 BY MR. ARISOHN: 02:18:12PM

11 Q. -- for calculating his averages?

12 A. The 24.80 and the 24.10, I mean, they  
13 were hard coded in some of the spreadsheets, so I  
14 don't know what he used.

15 These are the data that -- these are his 02:18:23PM  
16 data, right? So I'm using his data, and I'm  
17 calculating two average data points, and they're  
18 different from what he had.

19 Q. So it's your understanding that he didn't  
20 rely on any other data in calculating his averages, 02:18:35PM  
21 right?

22 MR. WING: Object to the form.

23 THE WITNESS: I don't know. This is the  
24 data that I worked with, so I don't know what other  
25 data he worked with that were not documented, but I 02:18:44PM